IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT BLUEFIELD

DELORES L. KNIGHT,

    Plaintiff,

v.   CIVIL ACTION NO. 1:20-00408

KILOLO KIJAKAZI,[1]
Acting Commissioner of Social Security,

    Defendant.

MEMORANDUM OPINION AND ORDER

By Standing Order, this action was referred to United States Magistrate Judge Cheryl A. Eifert for submission of findings and recommendation regarding disposition pursuant to 28 U.S.C. § 636(b)(1)(B). Magistrate Judge Eifert submitted to the court her Proposed Findings and Recommendation ("PF&R") on July 9, 2021, in which she recommended that the court grant defendant's motion to dismiss plaintiff's complaint; dismiss this case with prejudice; and remove this matter from the court's docket.

In accordance with the provisions of 28 U.S.C. § 636(b), the parties were allotted fourteen days and three mailing days in which to file any objections to Magistrate Judge Eifert's Proposed Findings and Recommendation. The failure of any party

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[1] Kilolo Kijakazi became the Acting Commissioner of the Social Security Administration on July 9, 2021. Pursuant to Fed. R. Civ. P. 25(d), Kijakazi was substituted for Andrew Saul as the defendant in this action.

to file such objections within the time allowed constitutes a waiver of such party's right to a <u>de novo</u> review by this court. <u>Snyder v. Ridenour</u>, 889 F.2d 1363 (4th Cir. 1989).

Neither party filed any objections to the Magistrate Judge's Findings and Recommendations within the required time period. Accordingly, the court adopts the Findings and Recommendations of Magistrate Judge Eifert as follows:

1.   Defendant's Motion to Dismiss Complaint is **GRANTED**;

2.   Plaintiff's complaint is **DISMISSED** with prejudice; and

3.   The Clerk is directed to remove this case from the court's docket.

The Clerk is directed to forward a copy of this Memorandum Opinion and Order to counsel of record and unrepresented parties.

IT IS SO ORDERED this 9th of August, 2021.

ENTER:

David A. Faber
Senior United States District Judge